

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 06-414 M
)	
v.)	
)	
FRANKIE ROBINSON BUTLER,)	DETENTION ORDER
)	
Defendant.)	
_____)	

Offenses charged:

Count 1: Felon in Possession of a Firearm in violation of 18 U.S.C. § 922 (g)(1).

Count 2: Possession of Cocaine Base with Intent to Distribute (five grams or more) in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(iii).

Date of Detention Hearing: August 8, 2006

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds the following:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this case.

(2) If convicted of the pending charges, the defendant could face a substantial period of time in prison.

01 (3) Defendant's background history check reveals a lengthy criminal record,
02 including six felony convictions.

03 (4) Defendant has had past substance-abuse problems, and it appears that those
04 problems may be ongoing.

05 (5) Defendant has prior failures to appear, although these are for older chargers,
06 and defendant's recent history does not reflect failures to appear.

07 (6) There are no conditions or combination of conditions, other than detention,
08 that will reasonably assure the appearance of defendant as required, or the safety of the
09 community.

10 IT IS THEREFORE ORDERED:

11 (1) Defendant shall be detained pending trial and committed to the custody of the
12 Attorney General for confinement in a correction facility separate, to the
13 extent practicable, from persons awaiting or serving sentences or being held in
14 custody pending appeal;

15 (2) Defendant shall be afforded reasonable opportunity for private consultation
16 with counsel;

17 (3) On order of a court of the United States or on request of an attorney for the
18 government, the person in charge of the corrections facility in which
19 defendant is confined shall deliver the defendant to a United States Marshal
20 for the purpose of an appearance in connection with a court proceeding; and

21 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
22 counsel for the defendant, to the United States Marshal, and to the United
23 States Pretrial Services Officer.

24 DATED this 8th day of August, 2006.

25 
26 JAMES P. DONOHUE
United States Magistrate Judge